

Remarks

Claims 1 through 36 are pending, claims 25 through 36 having been withdrawn by an October 10, 2005 response to restriction requirement. Claims 2 through 4, 7, 9, 13, 16 through 18 and 20 through 24 have been amended, while claims 1, 8, 11, 12, 14 and 15 have been cancelled, and new claims 37 through 43 have been added. Support for the present amendments can be found in the original claims, as well as the description of the linked mode of operation discussed at page 8, lines 7 through 9 and 15 through 17, page 10, lines 29 through 31 and page 11, lines 1 through 5. The following remarks are pertinent to the rejections.

REJECTION UNDER 35 U.S.C. §102

Claims 1 through 24 were rejected under 35 USC 102(b) as being anticipated by US Patent 4,807,131 to Clegg (hereinafter the '131 patent). To anticipate a claim, a single reference must disclose each and every positively recited limitation. *In re Bond*, 15 USPQ2d 1566 (Fed. Cir. 1990). As described at page 8 of the original specification, a linked mode is that in which the detectors are responsively linked such that they respond in unison with one another. It is further described as having a portion of the blade that corresponds to a particular location as sensed by the detectors. Furthermore, as described in the first paragraph of page 11, in a linked mode, the position of the detectors relative to the blade are kept constant. In this way, a single command (either manual or automated) keeps the relative position of the detectors constant during such elevation change. Independent claims 4, 16 and 18 have been amended to more clearly recite the cooperative nature of the detectors and the blade or related machine tool during a linked mode of operation. Similarly, new independent claim 37 specifically recites this feature.

There is nothing in the '131 patent to either teach nor suggest the amended features, for while the '131 patent discusses automated control of a grading system cutting blade using one or more detectors to provide information relating to blade position, it is silent as to the claimed linked mode of operation where it is the detectors that move or have their array of sensors maintain a substantially constant distance relative to the blade or related machine tool. Thus,

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while both the claimed system and the system of the '131 patent are capable of both manual and automated operation, it is clear that the '131 patent has not contemplated the claimed linked mode of operation for the detectors. Since the '131 patent does not have this feature, continued reliance on it as a basis for anticipatory rejection is inappropriate.

CONCLUSION

For the above reasons, the Applicant respectfully submits that the application and all claims in it are now in condition for allowance. The Examiner is encouraged to contact the undersigned to resolve efficiently any formal matters or to discuss any aspects of the application or of this response. Otherwise, early notification of allowable subject matter is respectfully solicited.

Respectfully submitted,
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Amendment to the Drawings

The attached drawing sheet includes a new FIGS. 1, 4 and 5 to indicate proper labeling of masts **30** and light emitting diode **201** that are discussed in corresponding parts of the detailed description of the original specification.

Attachment: Replacement Sheets